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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,934	03/15/2001	Yigang Cai	17-1-2-1-1	4804

7590 12/16/2004
Docket Administrator (Room 3C-512)
Lucent Technologies Inc.
600 Mountain Avenue
P.O. Box 636
Murray Hill, NJ 07974-0636

EXAMINER

LE, KAREN L

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/808,934	Applicant(s) CAI ET AL.	
	Examiner Karen Le	Art Unit 2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) 15-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 14-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 14, line 21, INAP is not defined. It is unclear. Similarly, in lines 25 and 27, SRR and DFC are not defined respectively.

Dependent claims 15-19 are rejected for the same reason because they depend on rejected base claim 14.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-2 and 6-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Casile et al. (U. S. 6,173,054).

Regarding claim 1, Caisile teaches a method for communicating between a service control point (SCP 140, Fig. 1), a service switching point (SSP 110, Fig. 1) and an external Intelligent Peripheral (IP) (Fig. 1, item 160), comprising the steps of: establishing a connection between the SSP and the external IP; and while the connection between the SSP and the IP exists, transporting an Intelligent Network Application Part (INAP) operation inside a pass along message between the SSP and the IP (Col. 4, lines 43-44); in response to INAP operation inside said pass along message, performing the INAP operation by the IP (Col. 4, lines 36-39).

Regarding claim 2, Caisile teaches the pass along message can be sent in either direction to transfer information (Fig 1, item between 160 and 110).

Regarding claim 6, Caisile teaches said INAP operation transferred is a play announcement (PA) operation (col. 1, lines 53-38).

Regarding claims 7, 8 and 9, Caisile teaches said INAP operation transferred is a prompt and collect user information (PCUI) operation, a return report (RR) operation, and a specialized resource report (SRR) operation (Col. 6, lines 10-16).

Regarding claim 10, Caisile teaches the SSP receives a play announcement operation from a transaction capability application part message sent from the SCP and puts said transaction capability application part message into an optional part of a pass along message (Col. 4, lines 41-43) .

Regarding claim 11, Caisile teaches the SSP receives a play announcement operation from a transaction capability application part message sent from the SCP and puts said transaction capability application part message into a user to user information parameter of a call progress message (Col. 4, lines 12-24).

Regarding claim 12, Caisile teaches the SSP receives a prompt and collect user information operation from a transaction capability application part message sent from the SCP and puts said transaction capability application part message into an optional part of a pass along message (Col. 4, lines 12-24).

Regarding claim 13, Caisile teaches the SSP receives a prompt and collect user information operation from a transaction capability application part message sent from the SCP and puts said transaction capability application part message into a user to user information parameter of a call progress message (Col. 4, lines 12-24).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Casile et al.

(U. S. 6,769,026) in view of Park et al (U.S. 5,386,412).

Regarding claim 3, Casile does not teach a format of the pass along message includes a Fixed message type one byte in length. However, Park teaches a format of the pass along message includes a fixed message type one byte in length (Fig. 9, items 112, 114 and 116). Park teaches a data field contains data which is of the ASCII or binary format. It contains the packetized application message that the applications want to transmit and receive. These messages are one byte in length. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Park's feature to Casile's feature to pass along messages including a Fixed message type one byte in length.

Regarding claims 4 and 5, Casile does not teach a format of the pass along message to include an optional part of variable length from two to two hundred fifty seven bytes and using bytes between numbers two hundred one and two hundred fifty seven of said pass along message

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for transferring the INAP operations. However, Park teaches a format of the pass along message that includes an optional part of variable length from two to two hundred fifty seven bytes and using bytes between numbers two hundred one and two hundred fifty seven of said pass along message for transferring the INAP operations (Col. 9, lines 37-39 and Col. 8, lines 9-12). Park teaches a data field contains data which is of the ASCII or binary format. It contains the packetized message that the system transmits and receives message. These messages are one byte in length. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Park's feature to Casile's feature to provide a message with variable length from two to two hundred fifty seven bytes.

Allowable Subject Matter

6. Claims 14-19 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Conclusion

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

Hand-delivered responses should be brought to


Crystal Park II, Sixth Floor (Receptionist)
2121 Crystal Drive
Arlington, VA 22202

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Le whose telephone number is 703-308-4998. The examiner can normally be reached on Monday - Friday from 8:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Karen Le
KLL
December 8, 2004


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600